

FORTY-SEVENTH DAY

(Monday, April 1, 1963)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

A quorum was announced present.

Reverend W. H. Townsend. Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 25, 1963, was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 1, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 345, A bill to be entitled "An Act authorizing cities having a population of three hundred fifty thousand (350,000) or more but less than four hundred thousand (400,000) according to the last preceding Federal census to provide for the retirement of its active firemen subject to certain conditions; providing for transfer of assets and assumption of liabilities of the Firemen's Relief and Retirement Fund by the Municipal Employees' Retirement Fund; and making other provisions to effectuate the purposes of this Act.

(With amendment.)

H. B. No. 105, A bill to be entitled "An Act abolishing the Rules in Shelley's Case, the Rule Forbidding a Remainder to the Grantor's Heirs, and the Doctrine of Worthier Title; and declaring an emergency."

H. C. R. No. 52, Providing for suspension of the Joint Rules of both Houses to permit adjournment from Thursday, April 11, 1963, to Tuesday, April 16, 1963.

H. B. No. 92, A Bill to be entitled "An Act implementing the provisions of Article IX Section 1-a of the Constitution of the State of Texas, authorizing the commissioners courts of any county bordering on the Gulf of Mexico or the tidewater limits thereof to regulate and restrict the speed, parking and travel of motor vehicles on beaches available to the public by virtue of public right and the littering of such beaches; defining the term 'littering'; fixing a penalty of not more than Two Hundred Dollars (\$200) for the violation of such regulations governing motor vehicles and the offense of 'littering' of such beaches; repealing the provisions of Section 8, Chapter 19, Acts of the 56th Legislature, 2nd Called Session, 1959, insofar as same may conflict with the provisions of this Act, and any other laws or parts of laws in conflict herewith; providing that the fact that any such commissioners court has adopted a regulation restricting speed within a designated area shall be prima facie evidence that such portion of the beach is a public beach within the terms of this Act; providing that peace officers of adjoining counties and state law enforcement officers may enforce the provisions of this Act when authorized to do so by the commissioners court of the adjoining county; providing for receptacles for such litter, and posting of signs; providing for severability; and declaring an emergency."

H. B. No. 109, A bill to be entitled "An Act repealing Section 10 and amending Sections 2, 3, 4, 5, 6, 7, 8, 11, and 13 and 14 of Chapter 187, Acts of the 56th Legislature, Regular Session, 1959, to clarify the research, investigations and studies to be conducted by and under the direction of the Game and Fish Commission, to change the definition of certain words and phrases; to eliminate cer-

tain words, phrases and definitions; to add certain words, phrases and definitions; to make certain acts illegal; to prescribe various enforcement and licensing procedures and regulations; to prescribe certain conditions, times and places under which shrimp may be caught or taken, and exceptions thereto; to regulate the selling and disposition of certain shrimp; to prescribe certain penalties and forfeitures; to provide for venue in certain cases; to repeal all laws or parts of law in conflict to the extent of such conflict; to provide a savings clause; and declaring an emergency."

H. B. No. 386, A bill to be entitled "An Act adding a new Subsection (t) to Section 1 of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929, as amended; to define the term 'fertilizer trailer'; amending Subsection (q) of Section 1 of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929; to define the term 'operated or moved temporarily upon the highways; adding a new Subsection (e-1) to Section 2, Acts of the 41st Legislature, Second Called Session, 1929; as amended; to exempt certain fertilizer trailers from the requirement of registration of trailers and from the regular registration fee of trailers; providing severability; and declaring an emergency."

H. C. R. No. 42, Granting permission to J. W. Luttess and/or Shell Oil Company to sue the State of Texas.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 152, A bill to be entitled "An Act creating the Travis State School Independent School District; providing for its territorial limits; providing for trustees; providing for taking census and certifying scholastics; and declaring an emergency."

Senate Resolution 335

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have with us John Ben Blanchard, son of our esteemed colleague from Lubbock, the Honorable H. J. Blanchard and Mrs. Blanchard; and

Whereas, It is the desire of the Senate of Texas to utilize the services of this fine young citizen; now, therefore, be it

Resolved, By the Senate of Texas that this young man be appointed as an honorary page of the Senate for today, April 1, 1963.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented young John Ben Blanchard to the Members of the Senate.

Presentation of Guest

Senator Blanchard by unanimous consent presented as a guest of the Senate today Mr. Larry Teaver of Lubbock to the Members of the Senate.

Senate Resolution 337

Senator Watson offered the following resolution:

Whereas, It is the desire of the Senate to pay tribute to Joe H. Byrne, who received the highest YMCA award; and

Whereas, The qualifications for the award include long and faithful attention to responsibilities in the YMCA, outstanding leadership and contribution to the progress of the association movement, regular and consistent attendance at meetings, and personal exemplification of the Christian purposes and ideals of the YMCA; and

Whereas, Mr. Byrne was the first Wacoan to receive the distinguished service award of the Southwest Area Council of the YMCA; and

Whereas, Mr. Byrne has brought honor and acclaim to the City of Waco and the entire State of Texas. His life is exemplary of the courage and wisdom and faith that shows itself in a creative service to others. His personal achievements and pleasing demeanor are part of his success as a contributing citizen to the progress of Waco; and

Whereas, Mr. Byrne is presently a member of the southwest area board

and has served continuously as a member of the board of directors of the Waco "Y" since 1930. He is a deacon at First Baptist Church; now, therefore, be it

Resolved, That the Senate of the Fifty-eighth Legislature congratulates Mr. Byrne on his outstanding record of leadership and service; and, be it further

Resolved, That a copy of this Resolution be sent to him as a token of the gratitude of this State.

The resolution was read and was adopted.

Senate Concurrent Resolution 43

Senator Colson offered the following resolution:

S. C. R. No. 43, Providing for portrait of Governor Price Daniel to be placed in Rotunda of Capitol.

Be It Resolved by the Senate of the State of Texas, the House of Representatives concurring, that a suitable portrait of Governor Price Daniel be placed in the rotunda of the Capitol with the portraits of the other Governors of Texas. The portrait and the charge of such portrait, may be made by an artist agreeable with Governor Daniel and the Lieutenant Governor and the Chairman of the Contingent Expense Committee of the Senate and the Speaker of the House and the Chairman of the Contingent Expense Committee of the House of Representatives. Before such portrait is accepted and placed by the Board of Control, such portrait shall be approved by the Lieutenant Governor and the Chairman of the Contingent Expense Committee of the Senate and the Speaker of the House of Representatives and the Chairman of the Contingent Expense Committee of the House of Representatives.

The resolution was read.

On motion of Senator Colson and by unanimous consent the resolution was considered immediately and was adopted.

Senate Bill 345 with House Amendments

Senator Kennard called S. B. No. 345 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Kennard moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Kennard, Creighton, Moore, Parkhouse and Spears.

Senate Bill 440 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Harrington:

S. B. No. 440, A bill to be entitled "An Act authorizing the commissioners court of Orange County to pay the District Judge of the 128th Judicial District compensation in addition to the compensation paid by the state; and declaring an emergency.

To the Committee on Counties, Cities and Towns.

Senate Bill 441 on First Reading

Senator Colson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a bill, the provisions of which she explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Schwartz

Spears
Strong

Watson
Word

Absent

Rogers

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Colson:

S. B. No. 441, A bill to be entitled "An Act making appropriations from the General Revenue Fund and certain other funds for the payment of certain miscellaneous claims and judgments; providing for verification and approval of such claims prior to payment; providing certain procedures for payment; and declaring an emergency."

To the Committee on Claims.

Senate Concurrent Resolution 44
on First Reading

Senator Colson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a resolution, the provisions of which she explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Absent

Rogers

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senator Colson:

S. C. R. No. 44, Granting Mrs. Arra Grisham, et al., permission to sue the State.

Whereas, Mrs. Arra Grisham and her children, W. D. Grisham, Freddie Grisham, Jack Hailey Grisham, and Louise Grisham Morehead and her husband Lubie Moorehead are the owners of real property located on the east side of U. S. Highway No. 75, about seven (7) miles south of Conroe, Montgomery County, Texas; and

Whereas, Mrs. Grisham and the other owners of the property allege that in the construction of the Needham Road overpass over U. S. Highway No. 75, all the drain pipes and culverts were removed at this intersection, thereby causing water to overflow and cause considerable damage to their property as a result of the inadequate drainage system; and

Whereas, Mrs. Arra Grisham and her children desire to institute suit against the State of Texas and the Texas Highway Department to recover compensation for such alleged damages suffered by them; now therefore be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the said Mrs. Arra Grisham and her children, W. D. Grisham, Freddie Grisham, Jack Hailey Grisham, and Louise Grisham Morehead and her husband Lubie Morehead be and are hereby granted permission to bring suit against the State of Texas and the Texas Highway Department to determine validity of their claims and to recover judgment for such relief as they may be entitled to; and be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity of any allegations or claims asserted in said suits, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of facts as well as law, that may be asserted by or available to the State of Texas, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas,

in said suit, but all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on Jurisprudence.

Special Notice on Senate Bill 270

Senator Hardeman gave notice that he would on tomorrow, following the Morning Call move to suspend the rules to consider S. B. No. 270.

Senate Joint Resolution 1 on Final Passage

The President laid before the Senate as special order at this time on its final passage S. J. R. No. 1 (the resolution having been read the third time on Tuesday, March 26, 1963):

Question—Shall S. J. R. No. 1 be finally passed.

S. J. R. No. 1 was then passed by the following vote:

Yeas—22

Aikin	Kennard
Bates	Krueger
Cole	Moore
Colson	Patman
Creighton	Reagan
Dies	Richter
Hall	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Nays—7

Blanchard	Owen
Calhoun	Parkhouse
Crump	Ratliff
Hardeman	

Absent

Moffett	Rogers
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Presentation of Guests

Senator Word by unanimous consent presented as guests of the Senate today the Honorable Bob Murphy and James Tipton from Senator Dies' district.

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read the first time and referred to the committees indicated:

H. J. R. No. 42, To the Committee on Jurisprudence.

H. B. No. 386, To the Committee on Agriculture and Livestock.

H. B. No. 105, To the Committee on Jurisprudence.

H. B. No. 92, To the Committee on Transportation.

H. B. No. 109, To the Committee on Game and Fish.

Motion to Place Senate Bill 122 on Second Reading

Senator Cole asked unanimous consent to suspend the regular order of business and take up S. B. No. 122 for consideration at this time.

There was objection.

Senator Calhoun raised the point of order that the bill under discussion violated Joint Rule 9-A.

The President overruled the point of order and stated that Joint Rule 9-A applies only during the first 75 calendar days of the regular session.

Senator Cole then moved to suspend the regular order of business and take up S. B. No. 122 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the members present):

Yeas—19

Aikin	Krueger
Bates	Parkhouse
Blanchard	Patman
Cole	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Kazen	Watson
Kennard	

Nays—11

Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Strong
Hazlewood	Word
Herring	

Absent

Rogers

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 1, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 345.

House has appointed the following conferees: Shannon, Chairman, McLaughlin, Finney, Richardson and Parmer.

The House has adopted the Conference Committee Report on Senate Bill No. 6 by a non-record vote.

The House refused to concur in Senate amendments to House Bill No. 264 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House appointed the following conferees: Smith of Bexar, Chairman, Segrest, Berry, Kothmann, and Butler.

The House has concurred in Senate amendments to House Bill No. 288 by vote of 142 ayes, 1 no.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

**Conference Committee Report on
Senate Bill 345**

Senator Kennard submitted the following Conference Committee Report on S. B. No. 345:

Austin, Texas,
April 1, 1963.

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 345 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

KENNARD
MOORE

CREIGHTON
SPEARS
PARKHOUSE

On the part of the Senate.

RICHARDSON
FINNEY
McLAUGHLIN
SHANNON
PARMER

On the part of the House.

S. B. No. 345,

**A BILL
TO BE ENTITLED**

AN ACT authorizing cities having a population of three hundred fifty thousand (350,000) or more but less than four hundred thousand (400,000) according to the last preceding Federal census to provide for the retirement of its active firemen subject to certain conditions; providing for transfer of assets and assumption of liabilities of the Firemen's Relief and Retirement Fund by the Municipal Employees' Retirement Fund; and making other provisions to effectuate the purpose of this Act.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Any city having a population of three hundred fifty thousand (350,000) or more, but less than four hundred thousand (400,000) according to the last preceding Federal census and having a full time regularly organized fire department and having an established municipal employees retirement plan shall be authorized to provide for the retirement of its firemen by appropriate ordinance under the terms and provisions of such employees retirement plan if the benefits provided by such employees retirement plan are substantially as advantageous as the benefits provided by Chapter 125, Acts of the 45th Legislature as amended (Article 6243e, Vernon's Civil Statutes of the State of Texas.)

Upon adoption of an appropriate ordinance, all of the assets of the Firemen's Relief and Retirement Fund shall be transferred to the municipal employees retirement fund and thereafter those persons serving as active firemen duly enrolled or contributing to the fund shall be subject to all provisions of such municipal employees retirement fund and the municipal employees retirement fund of such city shall assume all liabilities

and obligations of the Firemen's Relief and Retirement Fund at the date of transfer. Thereafter such municipal employees retirement fund as combined shall not be subject to the provisions of Chapter 125, Acts of the 45th Legislature, as amended (Article 6243e, Vernon's Civil Statutes of the State of Texas).

Provided, however, nothing contained in this Act shall be held or construed to affect or impair any act done or right vested or accrued under Article 6243e, V.A.C.S., pending in any proceeding, suit, or prosecution had or commenced in any cause thereunder, be it before the courts, the Firemen's Pension Commissioner, or the Board of Firemen's Relief and Retirement Fund Trustees; but every act done, or right vested or accrued, or proceeding, suit or prosecution had or commenced shall remain in full force and effect to all intents as if Article 6243e, V.A.C.S., were applicable thereto and any and all liabilities existing under this proviso, be they vested, accrued or contingent, shall be the obligations of the municipal employees retirement fund.

Section 2. The importance of this legislation and the crowded condition of the calendar in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Absent

Cole

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
April 1, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 439, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senate Bill 439 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 439 was ordered not printed.

Senate Bill 4 on Second Reading

Senator Dies asked unanimous consent to suspend the regular order of business and take up S. B. No. 4 for consideration at this time.

There was objection.

Senator Dies then moved to suspend the regular order of business and take up S. B. No. 4 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Bates	Owen
Blanchard	Parkhouse
Cole	Patman
Colson	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word

Nays—4

Calhoun	Hardeman
Creighton	Moffett

Absent

Hazlewood

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 4, A bill to be entitled "An Act to provide a sick leave policy for all teachers employed in the Texas Public Free Schools, setting out the Minimum Sick Leave Program, providing for reports to the administration through the Central Education Agency; providing for financing from the State Foundation School Fund; to take effect for the 1963-64 school year and thereafter; providing a severability clause, and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend S. B. 4, Section 1, by changing the words and figures "thirty (30)" to "ten (10)."

The amendment was read.

Question—Shall the amendment by Senator Word to S. B. No. 4 be adopted?

Recess

On motion of Senator Parkhouse the Senate at 11:57 o'clock a.m. took recess until 2:00 o'clock p.m. today.

Record of Vote

Senators Schwartz and Patman asked to be recorded as voting "Nay" on the motion to recess.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 1, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on Senate Bill No. 345 by a vote of 145 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Bill 4 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 4 on its second reading (the bill having been read the second time this morning with an amendment by Senator Word pending).

Question—Shall the amendment by Senator Word to S. B. No. 4 be adopted?

Senator Word by unanimous consent withdrew the pending amendment.

Senator Owen offered the following amendment to the bill:

Amend S. B. No. 4, Section 3-B, line 52 by inserting between the words "to" and "the" the following: "effect the intent of this act,".

The amendment was read.

On motion of Senator Dies, the amendment was tabled.

Senator Owen offered the following amendment to the bill:

Amend S. B. No. 4, section 1, by changing the period at the end of said section to a comma and by adding the following: "to be paid only with local funds of said districts."

The amendment was adopted.

On motion of Senator Dies and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 4 on Third Reading

Senator Dies moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 4 be placed on its third reading and final passage:

The motion prevailed by the following vote:

Yeas—24

Aikin	Dies
Bates	Hall
Blanchard	Hardeman
Cole	Harrington
Crump	Hazlewood

Herring	Reagan
Kazen	Richter
Krueger	Rogers
Moore	Schwartz
Owen	Strong
Parkhouse	Watson
Patman	Word

Nays—2

Calhoun	Creighton
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Absent

Colson	Ratliff
Kennard	Spears
Moffett	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Cole	Owen
Colson	Parkhouse
Crump	Patman
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Strong
Herring	Watson
Kazen	Word

Nays—2

Calhoun	Creighton
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Absent

Kennard	Spears
Ratliff	

Presentation of Guest

Senator Moore by unanimous consent presented Mr. Morris Esterling of Mexia to the Members of the Senate.

Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 54, In memory of Mr. Olin Guy Wellborn.

H. B. No. 1, A bill to be entitled "An Act creating the Governor's

Committee on Education Beyond the High School for the study of the needs of public and private education beyond the high school in this State and the formulation and recommendation of a comprehensive coordinated system of programs and facilities in education beyond the high school; setting a termination date for its work; providing for severability and declaring an emergency."

H. B. No. 12, A bill to be entitled "An Act relating to a change in the name of West Texas State College at Canyon, Texas; amending Section 1 of Chapter 223, Acts of the 51st Legislature, 1949, so as to change the name of West Texas State College to 'West Texas State University'; ratifying and confirming in behalf of 'West Texas State University' all legislative Acts and appropriations heretofore passed in behalf of West Texas State College, West Texas State Teachers College, or West Texas State University; and declaring an emergency."

H. B. No. 59, A bill to be entitled "An Act amending Subdivision 84 of Article 199, Title 8, Revised Civil Statutes of the State of Texas, 1925, as amended, to change the terms of the District Court of the 84th Judicial District, and to give the judge discretion as to the number of sessions he holds in any county of the district during any term; continuing all process, bonds and recognizances, and all grand and petit juries of the old terms; repealing all laws in conflict; and declaring an emergency."

H. B. No. 88, A bill to be entitled "An Act providing a maximum speed limit in county parks and prohibiting the littering of county parks; excluding beaches from the applicability of such provisions; providing a penalty for violations; and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act amending Section 14 of S. B. 221, Chapter 119, Acts 1955, 54th Legislature, Regular Session, codified as Article 3871b, Texas Civil Statutes, authorizing the Board for Texas State Hospitals and Special Schools to use any personnel and facilities under its control and management for carrying out research in mental retardation; and declaring an emergency."

H. B. No. 266, A bill to be entitled

"An Act amending Section 1 of H. B. 245, Chapter 231, Acts 1961, 57th Legislature, Regular Session, Codified as Article 3174b-5, Vernon's Civil Statutes of the State of Texas, authorizing the Board for Texas State Hospitals and Special Schools to contract for medical care and treatment; and declaring an emergency."

H. B. No. 294, A bill to be entitled "An Act authorizing the West Side Calhoun County Navigation District to sell certain water supply facilities and appurtenances to Guadalupe-Blanco River Authority; validating, ratifying and confirming an agreement heretofore executed by and between said District and said authority; and declaring an emergency."

H. B. No. 300, A bill to be entitled "An Act providing a penalty for the operation of certain aircraft while intoxicated or under the influence of intoxicating liquor; and declaring an emergency."

H. B. No. 358, A bill to be entitled "An Act amending Acts of 1951 52nd Legislature, Regular Session, Chapter 491, page 1065, as amended, codified as Article 21.09 of the Insurance Code of Texas, Vernon's Texas Civil Statutes, relating countersigning of policies by local recording agents and exceptions therefrom, to exempt bid bonds issued in connection with any public or private contract; repealing all laws or parts of laws in conflict; providing for a severability clause; and declaring an emergency."

H. B. No. 377, A bill to be entitled "An Act relating to the creation, administration and financing of a hospital district whose boundaries are coterminous with the boundaries of county commissioners precincts numbers one and two of Jasper County; and declaring an emergency."

S. B. No. 6, A bill to be entitled "An Act relating to the creation of Padre Island National Seashore; containing a reverter clause; and declaring an emergency."

S. B. No. 345, A bill to be entitled "An Act authorizing cities having a population of three hundred fifty thousand (350,000) or more but less than four hundred thousand (400,000) according to the last preceding Federal census to provide for the

retirement of its active firemen subject to certain conditions; providing for transfer of assets and assumption of liabilities of the Firemen's Relief and Retirement Fund by the Municipal Employees' Retirement Fund; and making other provisions to effectuate the purposes of this Act."

Senate Bill 436 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 436, A bill to be entitled "An Act amending Chapter 14 of Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, by adding thereto a new article relating to certain exemptions from the inheritance tax applicable to certain non-residents; defining the applicability of this Act; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 436 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 436 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kazen
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word

Absent

Kennard	Spears
Ratliff	

The President then laid the bill be-

fore the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kazen
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Strong
Hazlewood	Watson
Herring	Word

Absent

Kennard	Spears
Ratliff	

Senate Bill 268 on Second Reading

Senator Moore asked unanimous consent to suspend the regular order of business and take up S. B. No. 268 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up S. B. No. 268 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Bates	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

Nays—4

Blanchard	Hardeman
Calhoun	Moffett

The President laid before the Sen-

ate on its second reading and passage to engrossment:

S. B. No. 268, A bill to be entitled "An Act amending Section 2 of Chapter 99, Acts of the 51st Legislature, 1949, relating to service and age requirements for retirement of judges (compiled as Section 2 of Article 6228b, Title 109, Vernon's Texas Civil Statutes), to provide that any person who has fifteen (15) years service on one or more courts of this state shall be qualified to receive retirement pay under this Act, after reaching age sixty-five, regardless of whether he is serving on a court at such time; providing that such retirement pay shall be based upon the annual salary paid to such judge during his last year of service; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendment to the bill:

Amend S. B. No. 268, Sec. 1, line 41 by changing the words and figures "fifteen (15)" to "eighteen (18)."

HAZLEWOOD
CALHOUN

The amendment was read and was adopted.

On motion of Senator Moore and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 268 to engrossment.

Senate Bill 268 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 268 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Cole
Bates	Colson
Calhoun	Creighton

Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Kazen	Schwartz
Kennard	Spears
Krueger	Strong
Moffett	Watson
Moore	Word
Owen	

Nays—2

Blanchard	Hardeman
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senators Hardeman, Blanchard, Hazlewood and Rogers asked to be recorded as voting "Nay" on the final passage of S. B. No. 268.

Senate Bill 369 on Second Reading

Senator Moore asked unanimous consent to suspend the regular order of business and take up S. B. No. 369 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up S. B. No. 369 for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Kazen	

Nays—2

Parkhouse	Rogers
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The President laid before the Senate on its second reading and passage to engrossment.

S. B. No. 369, A bill to be entitled "An Act to require the filing of records containing certain information by those who conduct public opinion polls regarding candidates or prospective candidates for political office, when the results of such polls are published; providing penalties for violations, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 369 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 369 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Nays—1

Rogers

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

(Senator Blanchard in the Chair.)

Senate Bill 338 on Second Reading

On motion of Senator Crump and by unanimous consent, the regular order of business was suspended to take up for consideration at this time

on its second reading and passage to engrossment:

S. B. No. 338, A bill to be entitled "An Act relating to products made by inmates of the Texas Department of Corrections and the sale of such products to state institutions, departments and agencies and to political subdivisions, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

(President in the Chair.)

Senate Bill 338 on Third Reading

Senator Crump moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 338 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Absent

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Motion to Place Senate Bill 27 on Second Reading

Senator Spears asked unanimous consent to suspend the regular order of business and take up S. B. No. 27 for consideration at this time.

There was objection.

Senator Spears then moved to suspend the regular order of business and take up S. B. No. 27 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—20

Bates	Kennard
Blanchard	Moffett
Calhoun	Parkhouse
Cole	Ratliff
Colson	Richter
Creighton	Rogers
Dies	Schwartz
Hall	Spears
Hardeman	Strong
Harrington	Word

Nays—11

Aikin	Moore
Crump	Owen
Hazlewood	Patman
Herring	Reagan
Kazen	Watson
Krueger	

Senate Bill 349 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 349, A bill to be entitled "An Act amending House Bill 81, Acts of the 55th Legislature, Regular Session, 1957; creating the 147th Judicial District of Travis County; providing that the Criminal District Court of Travis County shall be designated as the 147th Judicial District Court, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 349 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 349 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

The President then laid the bill before the Senate on its third reading and final passage:

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 132 on Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment (the bill having been read the second time on Tuesday, March 26, 1963, with an amendment by Senator Crump pending):

Question—Shall the amendment by Senator Crump to S. B. No. 132 be adopted?

The amendment by Senator Crump to S. B. No. 132 was then adopted.

Senator Spears offered the following amendment to the bill:

Amend S. B. No. 132 by adding a new Sec. 8 to the bill and renum-

bering Sections 8 and 9, said new Sec. 8 to read as follows:

Section 8. Effective upon the date provided in Section 8f and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto new sections numbered 54a through 54u, to read as follows:

"54a. Registrar of voters.

"The county tax assessor-collector of each county in this State shall be the registrar of voters in that county: and as used in this Code, the term 'registrar of voters' or 'registrar' means county tax assessor-collector. He shall be responsible for the registration of voters, keeping of records, preparation of lists of registered voters, and such other duties incident to voter registration as are placed upon him by law. The duties here imposed on the county tax assessor-collector are in addition to his other duties imposed by law, and the expenses of his office incident to the performance of these duties shall be borne by the county. Any of these duties, other than the hearing of appeals on denial of registration and the hearing of challenges requesting cancellation of registration, may be performed through a deputy or deputies. The registrar shall not charge any fee for registering a voter or for performing any duty incident to voter registration. The registrar is authorized to administer oaths and certify thereto under the seal of his office in every case where an oath is required in complying with any portion of this Code connected with his official duties.

"54b. Time and place for registration.

"Registration of voters may begin in each county as soon as the registrar has obtained the necessary forms and other supplies incident thereto, and shall begin not later than the first day of January following the effective date of this section. Thereafter, registration shall be in progress at all times in the office of the registrar during regular office hours and during such other times as his office may be open to the public for the purpose of accepting applications for registration. During the month of January following the effective date of this section, the registrar shall station one or more deputies at a public place within each voting precinct of the county, for at least two

days, for the purpose of registering voters, and shall give notice, at least twenty days prior thereto, of the time and place at which a deputy will be present for this purpose, by posting not less than three notices at public places in each precinct and by such other manner as he deems desirable. At any other time during the first year that this section is in effect, and at any time in subsequent years, with the approval of the commissioners court, the registrar may station deputies at such public places within the county as in his discretion is necessary or desirable for the purpose of registering voters, and shall give notice in such manner as he deems desirable of the time and place at which a deputy will be present for this purpose.

"54c. Persons entitled to register.

"Every person who possesses all the qualifications of an elector, as defined in Section 34 of this Code, as amended to become effective on the first day of February following the effective date of this registration law or as thereafter amended, or who will become a qualified elector within sixty days after the date of application for registration, shall be entitled to register as a voter of the precinct in which he resides. No registration shall become effective to entitle the registrant to vote in any election until thirty days after registration, and the name of a registered voter shall not be placed on the certified list of registered voters prior to the expiration of thirty days after registration is completed.

"54d. Registration record form.

"The registration of each voter shall be recorded on a registration record form of loose-leaf style, which shall be made out in duplicate and which shall contain, in affidavit form to be signed and sworn to by the applicant, all the information required by Section 54e of this Code. The registration record form shall also contain suitable space for recording change of residence, transfer of registration to another voting precinct, information as to elections at which the voter votes, and information pertinent to cancellation of registration. In addition to any matter herein required, the registrar may cause to be written or printed on the form any other reasonable memoranda which are necessary or convenient to enable the registrar to perform his du-

ties in assorting or classifying or handling registration records with correctness or dispatch.

"The registration record forms for each county shall be serially numbered, beginning with No. 1. The registration records of registered voters shall be kept in two files, one to be known as the precinct registration file and the other to be known as the county registration file. The original form shall be filed alphabetically, by name of the registrant, in the precinct file, and the duplicate shall be filed in the county registration file. When a voter's registration is cancelled, the original and duplicate records shall be withdrawn from the active precinct and county files and placed in a separate file. The registration files shall be kept in the office of the registrar at all times in a place and in such manner as to be properly safeguarded. The files shall be open to public inspection at all times during regular office hours of the registrar, subject to reasonable safeguards.

"54e. Procedure for registration.

"Anyone desiring to register shall present himself to the registrar or an authorized deputy, who shall put the applicant for registration under oath and inform him that any willful false statement he makes will subject him to prosecution for false swearing. The applicant then shall swear to the following facts, and his answers shall be recorded on the registration record form in his presence by the person registering him, in permanent writing or typewriting:

"1. Name at length, including given name, and a middle name or initial, or if initial of first given name is customarily used, then initial and middle name. The given name of a woman shall be preceded in all cases with the designation of Miss or Mrs.

"2. The facts necessary to establish the applicant as an elector: that he is a citizen of the United States; is over twenty-one years of age (or will become twenty-one years of age within sixty days thereafter, stating the date on which he will reach that age); has continuously resided in Texas one year, and six months in the county wherein he is applying for registration (or will have met these residence requirements within sixty days thereafter, stating the date on which the requirements will have been met).

"3. Place of residence and post-office address with sufficient particularity to identify it and to determine the applicant's voting precinct.

"4. Occupation.

"5. Country or state of birth.

"6. If foreign born, how citizenship was acquired, whether by: citizenship or father, treaty or act of Congress, order of a court or naturalization, marriage to a citizen; naturalization of a parent or husband. The date when and the place where the applicant became a citizen shall be stated except in the case of citizenship acquired by citizenship or naturalization of parents, by treaty or by act of Congress. When citizenship depends upon the citizenship or naturalization of parent or husband, the name of the parent or husband shall be stated.

"7. Whether the applicant is able to write his name, and whether he has any physical disability by reason of which he cannot mark the ballot, in which case the nature of such disability shall be stated.

"The applicant shall sign the affidavit with his name at length, as recorded on the form (except that the designation of Miss or Mrs. may be omitted) and if he is unable to write he shall sign with a mark or cross, and the person before whom the affidavit is made shall insert the date of the affidavit, which shall be the date of the jurat.

"54f. Voter identification card.

"Upon completion of registration of each voter, the registrar shall issue to the voter a voter identification card, which shall be headed 'Voter Identification Card' and shall contain the following information: the voter's name, as shown on his registration record, his registration number, his address, occupation, and country or state of birth. The voter shall sign the card in the presence of the registrar and the registrar shall officially certify to the issuance of the card and the date of its issuance. Immediately preceding the certification there shall be printed the following: 'Holder not entitled to vote before,' and in the blank space the registrar shall fill in the date of the thirty-first day following registration if the registrant is then a qualified elector or will become a qualified elector within that period, or the date on which the registrant will become a qualified elector, if later

than thirty days after registration.

"If an identification card is lost, mutilated, or destroyed, the voter may obtain a replacement identification card, in the form and manner herein provided. The face of the card shall contain the same information as the original card, except that it shall be headed, 'Replacement Voter Identification Card. Not valid unless affidavit on reverse side is properly executed.' On the reverse side shall be printed an affidavit in substantially the following form:

Before me, the undersigned authority personally appeared

.....
who, being by me duly sworn, says that his Voter Identification Card has been lost, mutilated, or destroyed.

(Signature of voter)

Sworn to and subscribed before me, this day of 19.....

(Signature and title of officer administering oath)

The voter shall notify the registrar, in person or by mail, that the card previously issued to him has been lost, mutilated, or destroyed, and shall request that a replacement card be issued to him. If the voter is applying in person, the registrar shall fill in the information on the face of the card from the voter's registration record on file in his office, noting on the record that a replacement card has been issued, shall take the voter's affidavit, and shall then deliver the card to the voter after the voter has signed it and the registrar has verified that the signature corresponds to the signature on the registration record. If the voter is applying by mail, the registrar shall fill in the information on the face of the card from the voter's registration record, after verifying that the signature on the request corresponds to the signature on the registration record, and shall then mail the card to the voter and file the request with the voter's county registration record. As used in other sections of this Code, the term 'voter identification card' shall include a replacement card issued and executed in accordance with this section.

"It shall be unlawful for the registrar to mail or deliver an identification card or replacement identification card to anyone other than the voter to whom it is issued, and any

registrar or deputy who violates this provision shall be fined not less than one hundred dollars nor more than one thousand dollars.

"54g. Registration of shut-ins and persons absent from the county

"If any person eligible to register is unable to register in person at the registrar's office by reason of sickness or physical disability, the registrar may register the applicant at his place of abode, if practicable, in the same manner as if he had appeared at the registrar's office. If this is not practicable, the person may register in the following manner:

"He shall make application in writing to the registrar for the forms necessary for registration. The registrar shall furnish the applicant with an affidavit form upon which such person shall provide the information necessary for registration, which form shall contain the following, in addition to the information and statements prescribed in Section 54e of this Code: 'Because of sickness or physical disability I am unable to register in person. The nature of the sickness or physical disability is'. The registrar shall also furnish the applicant with a blank identification card. The applicant shall sign and swear to the affidavit before an officer authorized to administer oaths, and shall also sign the identification card in the presence of such officer, and shall return the affidavit and identification card to the registrar.

"If any person eligible to register is absent from the county of his residence and expects to be absent on all days allowed by law for registration prior to thirty days preceding the next election, he may register in the manner outlined in the preceding paragraph, and the affidavit form shall contain the following: 'I am unable to register in person because I am absent from the county of my residence and expect to be absent on all days allowed by law for registration prior to thirty days preceding the next election.'

"When the affidavit and identification card are returned to the registrar, the registrar shall transfer the information to an original and duplicate registration record form and shall forward the forms to the applicant for his signature, above which shall be the following certificate: 'I hereby certify that the information recorded on this form is true.' When

the original and duplicate registration record forms are returned to the registrar, the person shall be deemed to have completed his registration. The registrar shall note on the records that registration was effected through an affidavit of absence, sickness or physical disability, and shall attach the affidavit to the duplicate registration record form, to be filed in the county registration file. The registrar shall complete the information on the voter identification card and mail the card to the voter.

"54h. Vote by members of Armed Forces, etc., without registration

"If any person within either of the classes of persons enumerated in this section is eligible to register but has failed to do so, and is otherwise eligible to vote absentee by mail on the ground of expected absence from the county, he may vote without registration by sending a Federal Post Card Application for an absentee ballot in accordance with the law. This section shall apply to the following classes of persons:

"1. Members of the Army, Navy, Air Force, Marine Corps, Coast Guard and Merchant Marine of the United States serving outside the territorial limits of this state, and their spouses when residing with or accompanying them.

"2. Civilian employees of the United States in all categories serving outside the territorial limits of the United States, and their spouses when residing with or accompanying them.

"54j. Challenge of applicant

"Any person applying for registration may be challenged by the registrar or deputy registering him or by any registered voter of the county. If after hearing and considering the challenge the officer taking the application is satisfied as to the applicant's entitlement to registration, he shall register the applicant, but if not so satisfied, he shall refuse to register the applicant. If refusal has been by a deputy registrar, the applicant may appeal to the registrar, who shall decide the challenge within seven days. When the registrar refuses to register an applicant, the applicant may appeal from the decision of the registrar to the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within sixty days.

"54j. Challenge of registered voter

"Any registered voter may challenge the registration of any other registered voter in his county at any time by submitting in writing to the registrar a statement setting for the grounds of the challenge and requesting cancellation of the challenged voter's registration. The registrar shall notify the challenged voter of the filing of the challenge and shall furnish him with a copy thereof, and shall set a date for a hearing, which shall be not less than ten days nor more than thirty days after the notice. The registrar shall decide the challenge within seven days after the hearing. Either party may appeal from the decision of the registrar to the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within sixty days. A challenged voter may continue to vote until a final decision is made cancelling his registration.

"54k. Registration permanent until cancelled

"The registration of a voter is permanent for all purposes during his life, unless and until the registration is cancelled by the registrar for any of the causes specified in this Code. In addition to any other grounds specified in this Code, the registrar shall cancel the registration in the following cases:

"1. At the request of the person registered.

"2. When the insanity of the person registered is legally established.

"3. Upon the production of a certified copy of a subsisting judgment of the conviction of the person registered of any felony, unless the person has been restored to full citizenship and right of suffrage or pardoned.

"4. Upon the production of a certified copy of a judgment directing the cancellation to be made.

"5. Upon the death of the person registered.

"6. Upon receipt of notice of new registration in another county.

"7. Upon failure to vote for a period of four years, as more fully described in Section 54m of this Code.

"54l. Cancellation of registration upon death, adjudgment of insanity or conviction of felony

"Not later than the fifteenth day of each month, each local registrar

of deaths in this State shall furnish to the registrar of voters of the county of residence of the decedent an abstract of the death certificate of each decedent over twenty-one years of age who was a resident of this State at the time of death, showing the name, age, sex, nativity, place of residence, date of death, and place of death. Upon receipt of such record, the registrar of voters shall cancel the registration of any such person who is registered as a voter in his county.

"Not later than the fifteenth day of each month, the clerk of each county court or probate court in this state shall furnish to the registrar of voters of the county of residence of the person so adjudged, an abstract of each final judgment adjudging a person over twenty-one years of age and resident within this State to be mentally ill and mentally incompetent, showing the person's name and permanent address and any other available information which will assist in identifying the person in the voter registration files. Upon receipt of such record, the registrar shall cancel the registration of any such person who is registered as a voter in his county.

"Prior to January 31 of each year, the registrar shall examine the records of all courts in his county having jurisdiction of the trial of felony crimes, and shall cancel the registration of any registered voter who is convicted of a felony.

"54m. Cancellation of registration for failure to vote.

"Unless a voter votes in at least one primary or general election for nomination or election of state and county officers during a period of four years, his registration shall be cancelled unless the voter has registered during the four-year period or unless, upon notification by the registrar as hereinafter provided, the voter requests that his registration be continued.

"In each general primary and second (runoff) primary election for nomination of state and county officers, and in each general election for election of state and county officers, the presiding judge of each election precinct within the county (including the presiding judge of the special canvassing board for absentee ballots) shall deliver to the registrar the list of registered voters used at the election, marked to show the

names of persons who voted at the election, as provided elsewhere in this Code. From the lists of registered voters so furnished to him, prior to December 31 of each even-numbered year the registrar shall make a record in the precinct registration files of the voters who voted at such elections during that year. Prior to January 31 of each odd-numbered year, beginning with the year 1969, the registrar shall examine the registration records to determine which persons have not voted or registered during the preceding four years and shall mail to each such person, at the address given on the registration record, a notice that his registration will be cancelled unless he notifies the registrar in writing, signed by the voter, within thirty days thereafter that he is still a qualified elector of the precinct in which he is registered and wishes to continue his registration. After the expiration of thirty days from the date of the notice, the registrar shall cancel the registration unless he has received a request for continuation of the registration. Where a request for continuation of registration is received within the thirty-day period, the registrar shall note that fact on the voter's precinct registration record card and shall preserve the request for a period of five years, after which time the request may be destroyed.

"54n. Change of residence within county.

"A registered voter who changes his place of residence within the precinct shall notify the registrar of the change of address and shall present his voter identification card to the registrar and the registrar shall make the necessary change on the registration records and on the identification card.

"A registered voter who changes his residence to another precinct within the county shall request the registrar to transfer his registration to the precinct of his new residence at least four days before any election at which he offers to vote, and unless the voter has done this and his name appears on the certified list of registered voters of the precinct of his new residence, he shall not vote. The voter shall appear in person before the registrar and present his voter identification card and shall make written affidavit of the change of residence, or he shall send his identification card and the sworn affidavit to the registrar by mail. Thereupon

the registrar shall make the necessary changes on the registration record forms and on the identification card, and shall transfer the voter's precinct registration record form to the precinct registrations files for the precinct of his new residence, and shall return the identification card to the voter.

"54o. Change of residence to another county.

"A registered voter who moves from one county to another must re-register in the county of his new residence in the same manner as an initial registrant. The voter shall inform the person registering him of his prior registration in the county of his former residence, which fact shall be noted on the new registration record forms of the voter. The registrar of the county in which the new registration is accomplished shall forthwith notify the registrar of the county wherein the voter was formerly registered that the voter has changed his registration to the county of his new residence. Upon receipt of such notice, the registrar of the county wherein the voter was formerly registered shall cancel the former registration.

"54p. Disposition of records upon cancellation of registration.

"Upon cancellation of the registration of a voter, the registrar shall remove the voter's registration record forms from the county and precinct registration files and shall attach the duplicate form to the original form and file them alphabetically in the cancelled registration file. The forms shall be preserved for a period of five years after cancellation, and may then be destroyed.

"54q. Change of name.

"Any registered voter who changes his name through marriage or judgment of a competent court shall file a sworn affidavit of such change with the registrar and apply for registration under his new name. New registration record forms shall then be prepared and executed and a new identification card shall be issued to the voter, and the old records shall be placed in the cancelled registration file. If otherwise qualified, the voter shall be eligible to vote under the new registration at any election held more than four days after the registration is completed, and may vote under the former registration at any election held within four days after the new registration.

"54r. Abolition of precinct or alteration of boundary.

"In the event the precinct in which a registered voter resides is abolished or has its boundary altered, the registrar shall change the voters registration record forms to show him to be registered in the proper precinct without any request from such voter, and shall mail notice of such change to each voter affected, and such change shall be noted on the identification card of the voter upon presentation of the card to the registrar. If the registrar is unable to determine the proper precinct of a voter from the information on the registration record forms, he shall mail a request to the voter for such additional information as will enable him to determine the proper precinct, and until such information is received he shall not place the voter's name on the list of registered voters for any precinct. Changes in precinct boundaries shall not become effective until the first day of February following the order of the commissioners court making the change.

"54s. Lists of registered voters.

"Before the first day of April of each year, the registrar shall prepare for each election precinct of the county a certified list of registered voters who were registered as of the first day of March of that year, arranged alphabetically by the names of the voters and showing the following information for each voter: registration number, name, address, and occupation. For each general, special, or primary election held within the county, prior to the first day of April of the following year, the registrar shall deliver to the board, executive committee, or other authority having the duty of furnishing supplies for the election, one set of such lists for all precincts in the county if the election is county-wide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision in the election is less than county-wide. The registrar shall also furnish to each such authority, not less than two days prior to each election held by it, certified supplemental lists in the form herein prescribed of registered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been cancelled or transferred to another precinct since preparation of the origi-

nal lists. The authority shall furnish to the presiding judge in each precinct the original and supplemental lists of voters in his precinct at the time it furnishes other election supplies. Prior to the opening of the polls, the presiding judge shall strike from the original list the names of persons whose registration has been cancelled or transferred to another precinct.

"The registrar shall furnish without charge to each clerk having the duty of conducting absentee voting in any election the appropriate lists for use in the conduct of absentee voting for the election.

"No charge shall be made for lists furnished for use in elections held at the expense of the county or any city or other political subdivision. For each set of original and supplemental lists which the registrar is required to furnish to the executive committee of a political party for use in its primary elections, the registrar shall be permitted to charge not more than five dollars, to be paid by the party or the chairman so ordering the lists, which charge shall be in full for both the original lists and the supplemental lists. The registrar shall also furnish to the county executive committee of each political party, for any year in which such party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in such conventions, for which the registrar shall be permitted to charge not more than five dollars.

"It shall be permissible for the registrar to furnish additional copies of the original and supplemental lists for each election, and it shall be permissible for the election officers to use such additional lists for making up the poll list for the election when furnished in suitable form for that purpose.

"In addition to other registration records which the registrar is required to maintain, the registrar may maintain an auxiliary record of registered voters on punched cards or in other appropriate manner for producing lists of registered voters on data processing equipment, and may furnish lists of registered voters prepared by such method. In lieu of making supplemental lists for an election, he may furnish a revised complete list of registered voters for each precinct, reflecting changes in the original list which

are required to be shown by the supplemental lists.

"If any election is held between the first day of February and the first day of April of the year following the effective date of this section, the registrar of each county in which such election is to be held shall prepare a list of registered voters for use at such election in time for delivery to the board charged with the duty of furnishing the supplies for the election at least two days prior to the election.

"54t. Statement of registrations

"Prior to the fifteenth day of March of each year, the registrar shall make a statement to the Secretary of State and to the county clerk showing the number of voters registered in each election precinct in the county as of the first day of March of that year. Such statement shall become a record of the officer to whom the statement is made.

"54u. Penalty for false swearing

"Any person who wilfully makes any false statement in an affidavit executed under any provision of this chapter shall be deemed guilty of false swearing and upon conviction shall be punished by confinement in the state penitentiary not less than two nor more than five years."

Sec. 8a. Effective upon the date provided in Section 8f of this Act and conditioned as provided therein, Sections 34, 89, 90, and 93 of the Election Code of the State of Texas (compiled as Articles 5.02, 8.07, 8.08, and 8.11 of Vernon's Texas Election Code) are amended to read as follows:

"34. Qualification and requirements for voting

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which such person offers to vote, shall be deemed a qualified elector; provided that any member of the Armed Forces of the United States or component branches thereof, or in the military service of the United States, may vote only in the county in which such person resided at the time of entering such service. Except as provided in Section 54h of this Code, no person shall be eligible to vote at any election held within this State unless he is a qualified elector at

the election and has registered as provided in this Code. These requirements shall apply to all elections, including general, special, and primary elections, whether held by the State, by a county or other political subdivision of the State, or by a political party."

"89. Voter shall present identification card

"No person shall be permitted to vote unless he first presents to the election officer his voter identification card, provided for in Section 54f of this Code."

"89. Poll list and signature roster; acceptance of voter

"There shall be kept at each polling place a poll list and a signature roster of persons voting at the election. The poll list shall be made up in the number of copies required by law, consisting of an original and carbon copies thereof, which shall be distributed as provided elsewhere in this Code. The signature roster shall be made up as an original and one carbon copy thereof.

"When a person offers to vote, he shall present his voter identification card to an election officer and the election officer shall announce the voter's name and shall ascertain that the voter's name appears on the list of registered voters, and shall then require the voter to sign and fill out the signature roster, which shall show the voter's name, address, and registration number. The election officer shall compare the signature on the signature roster with that on the identification card, and if he finds that they correspond, an election officer shall enter the voter's name and registration number on the poll list and shall note on the list of registered voters that the voter has voted at that election. If the election officer finds that the signatures do not correspond, he shall challenge the voter, and the voter shall not be allowed to vote unless he complies with the procedure prescribed by this Code for acceptance of the vote of a challenged voter. The election officer shall make a notation of the challenge on the signature roster, together with a notation of the action taken thereon. If the voter is allowed to vote, the word 'challenged' and the name and address of the party testifying under oath as to the voter's qualifications shall be written on the poll list opposite the name of the voter. If a voter is unable to sign his

name, his name shall be entered on the poll list without any entry being made on the signature roster, and such fact shall be noted on the poll list. In each case the voter's identification card shall be returned to him.

"After the polls are closed, the original copy of the signature roster shall be attached to and returned with the copy of the poll list which is intended for inspection by the public, and the carbon copy of the signature roster shall be retained by the presiding judge, who shall keep it for sixty days, subject to the inspection of anyone interested in the election."

"93. Delivery of ballot

"The presiding judge shall check all ballots to see that they are properly printed and numbered, removing any defectively printed or unnumbered ballots, and shall affix his signature on the back of each ballot to be used at the election, and shall thoroughly disarrange and mix the ballots so that they no longer are in consecutive numbered sequence or in any sequence of arithmetic or geometric progression, and shall then place the ballots face down in a stack or stacks from which each voter shall be allowed to take his own ballot without the number being known to or written down in any manner by an election officer. After the voter's name has been entered on the poll list, he shall be allowed to select his ballot as above set out. The voter shall then immediately retire to a voting booth or a place prepared for voting by the election officers, and there prepare his ballot in the manner provided by law."

Sec. 8b. Effective upon the date provided in Section 8f of this Act and conditioned as provided therein, Section 37 of the Election Code of the State of Texas (compiled as Article 5.05 of Vernon's Texas Election Code) is amended by adding thereto a new subdivision numbered Subdivision 2a, reading as follows:

"Subdivision 2a. Voter identification card to accompany application for absentee ballot. Except as provided in Section 54h of this Code, every application for an absentee ballot shall be accompanied by the voter's identification card, provided for in Section 54f of this Code, or by his written signed statement that his identification card has been used in applying for an absentee ballot in another election (stating the nature and date of the election) and has not been returned to

him. All references in this Code to the poll tax receipt or exemption certificate of an absentee voter shall be construed to mean the voter's identification card, except that an affidavit in lieu thereof shall not be allowed."

Sec. 8c. Effective upon the late provided in Section 8f of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto a new section numbered 54v, to read as follows:

"54v. Construction of terms

"Whenever, under any provision of this Code or of any other statute of this State heretofore enacted, a person is required to have paid a poll tax or secured an exemption certificate as a qualification for any purpose, such statute shall be construed to require that the person be registered as a voter in accordance with the provisions of this chapter, unless the context clearly requires otherwise. All references to a poll tax receipt or an exemption certificate as evidence of eligibility to vote shall be construed to mean the voter identification card provided for in Section 54f of this Code, and all references to the list of qualified voters shall be construed to mean the list of registered voters provided for in Section 54s of this Code."

Sec. 8d. Effective upon the date provided in Section 8f of this Act and conditioned as provided therein, subdivisions (4) and (5) of Section 179a of the Election Code of the State of Texas (compiled as Article 13.01a of Vernon's Texas Election Code) are amended to read as follows:

"(4) To be a qualified member of an organized political party and to participate in its conventions, a voter shall have become affiliated with the party as provided in this subdivision.

"(a) The applicant for party affiliation of a party holding primary elections shall become a qualified member of the party when he has voted in that party's primary or has affiliated with the party in the manner prescribed in subparagraph (iii) of this paragraph.

"(i) At the head of the signature roster for each primary election there shall be printed the following statement: 'I swear that I have not voted at a primary election or participated in a convention of any other political party during this year.' The presiding judge, or another election officer

designated by the presiding judge, shall place each voter under oath and require him to swear to this statement before he signs the roster. The presiding judge or another election officer designated by him shall issue to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the following form:

Date.....
..... has voted in the
(Name of voter)
primary election of the
Party.

Presiding Judge, Precinct No.
..... County, Texas.

"(ii) In the event a voter shall vote by absentee ballot in a primary election, in addition to other matter required by Section 37 of this Code, the affidavit executed by the voter shall contain the statement set out in subparagraph (i) above. The county clerk shall furnish to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the form prescribed in subparagraph (i), signed by the county clerk in lieu of the presiding judge. If the voter is voting by personal appearance, the county clerk shall deliver the certificate to the voter at the time he votes. If the voter is voting by mail, the clerk shall mail the certificate to the voter upon receipt of the voted ballot.

"(iii) To become a qualified member of a party holding primary elections in order to participate in any party convention held prior to the general primary election, the applicant shall present his voter identification card to the precinct chairman of the party and state under oath that he has not participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the following form:

Date.....
..... has affiliated with the
(Name of voter)
..... Party for the current year.

Precinct Chairman, Precinct
No. County, Texas.

"(b) To become a qualified member of a party not holding primary elections and to participate in its con-

ventions, the applicant for party affiliation shall present his voter identification card to the precinct chairman of the party and state under oath that he has not voted at a primary election or participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the form prescribed by subparagraph (iii) of paragraph (a) of this subdivision.

"(5) Once a voter has affiliated with a party in a manner prescribed in subdivision (4) of this section, he shall remain a qualified member of such party for the duration of that calendar year. A certificate issued by the presiding judge, the county clerk, or the precinct chairman as provided in subdivision (4) shall serve as evidence that the person whose name appears thereon has affiliated with the party and is therefore eligible to participate in its conventions. All judges and clerks of primary elections and all precinct chairmen shall have authority to administer the oaths required for party affiliation. Any person who swears falsely to a statement that he has not voted at a primary election or participated in a party convention of any other party, as required by subdivision (4) shall be fined not less than one hundred dollars nor more than five hundred dollars."

Sec. 8e. Effective upon the date provided in Section 8f of this Act and conditioned as provided therein, Sections 41 through 56 of the Election Code of the State of Texas (compiled as Articles 5.09—5.24 of Vernon's Texas Election Code) are repealed. The repeal of Section 41 of the Election Code shall not affect liability for payment of a poll tax or the continued existence and force of Article 2.01 of Title 122A, Taxation—General, of the Revised Civil Statutes of Texas. All other laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof shall be of no further force to require that the tax be paid or that an exemption certificate be obtained as a prerequisite for voting, but all such laws shall be construed as provided in Section 54v of the Election Code, enacted by Section 4 of this Act.

Sec. 8f. Sections 8 through 8e of this Act shall become effective and

operative as a law only upon the condition that a constitutional amendment abolishing payment of the poll tax as a prerequisite for voting and authorizing the enactment of a general registration law is proposed by the 58th Legislature and becomes a part of the Constitution of Texas. In the event such a constitutional amendment shall fail to be adopted, the aforesaid sections of this Act shall not become effective or operative in whole or in part. In the event such an amendment is adopted, Sections 8-8e shall become effective February 1, 1967.

Sec. 8g. This section of this Act shall become effective and operative as a law only upon the condition that the amendment to the Constitution of the United States proposed by Senate Joint Resolution No. 29 of the 87th Congress of the United States becomes a part of the Constitution of the United States prior to an amendment of the Constitution of the State of Texas abolishing payment of the poll tax as a prerequisite for voting. If such amendment to the Constitution of the United States is not adopted, or is adopted after the amendment of the Constitution of Texas as aforesaid, this section shall not become effective or operative in whole or in part. In the event this section becomes operative and Sections 8 through 8e of this Act also become operative, this section shall expire on the date that Sections 2 through 6 of this Act take effect. Subject to the foregoing conditions, the Election Code of the State of Texas is amended by adding thereto a new section numbered Section 34a, to read as follows:

"34a. Voting for federal offices.

"Subdivision 1. Qualification and requirements for voting for federal offices. Notwithstanding any other provision of this Code or the Constitution of this State, the payment of the poll tax shall not be required as a condition for voting for United States Senator, for United States Representative (including Congressman-at-Large), or for President and Vice-President or electors for President and Vice-President of the United States, in any general, special, or primary election. To be eligible to vote for such offices, a person must be a qualified elector under the Constitution and laws of this State in all other respects. If he is not subject to payment of the poll tax, he must have obtained an exemption certificate in

accordance with the provisions of this Code if he is required to hold an exemption certificate as a condition for voting generally. If he is subject to payment of the poll tax, he must have paid the tax and obtained a receipt therefor prior to the first day of February preceding the election; or he must have obtained a poll tax receipt without payment of the tax prior to the first day of February preceding the election, as provided in Subdivision 2 of this section.

"Subdivision 2. Issuance of poll tax receipts without payment of the tax. A person who is subject to payment of the poll tax and who is in other respects a qualified elector may apply to the tax collector of the county of his residence at any time between the first day of October and the thirty-first day of January following for issuance of a poll tax receipt without payment of the tax, to be used to identify him in voting for offices enumerated in Subdivision 1 of this section. The applicant shall furnish to the tax collector all the information necessary to enable the tax collector to fill out the blanks in the poll tax receipt, and the tax collector shall issue the receipt as in cases where the poll tax is paid, except that he shall place the following notation on the face of the original and duplicate receipt: 'Poll tax not paid.' The application may be made in either of the manners authorized in Section 43 of this Code, and all laws pertaining to issuance of poll tax receipts shall apply to issuance of receipts without payment of the tax insofar as they can be made applicable, except as otherwise provided in this section. At the time the tax collector makes up the lists of qualified voters, he shall make up separate lists of those persons to whom poll tax receipts have been issued without payment of the tax and shall furnish the lists to the election boards at the same time that he furnishes other lists.

"Subdivision 3. Voting on receipts issued without payment of the tax. A person subject to payment of the poll tax who has obtained a receipt without payment of the tax shall not be eligible to vote at any election or on any office or proposition except at elections for offices enumerated in Subdivision 1 of this section. When such persons offer to vote, the election officers shall enter their names on a separate poll list and shall furnish them with a ballot containing

only the offices and candidates on which they are entitled to vote. When other offices or propositions are to be voted on at the same election, the election officers may provide separate ballots listing only the federal offices to be voted on, or may use the regular ballots prepared for the election, from which all other offices and propositions have been stricken. When the ballot is to be cast on a voting machine, all other offices and propositions shall be locked out before the voter enters the machine. The returns of the election shall show, separate from other voters, the number of persons voting on poll tax receipts issued without payment of the tax."

SPEARS
COLE
KENNARD
SCHWARTZ
RICHTER
BATES

The amendment was read.

(Pending discussion by Senator Spears of his amendment, Senator Colson occupied the Chair.)

(President in the Chair.)

Senator Watson raised the point of order that the amendment sent up by Senator Spears is not germane to the bill under Senate Rule 36.

The President overruled the point of order.

(Pending further discussion by Senator Spears of his amendment, Senator Owen occupied the Chair.)

Senator Creighton moved to table the amendment by Senator Spears.

Question on the motion to table. Yeas and Nays were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Aikin	Krueger
Blanchard	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Hall	Rogers
Hardeman	Strong
Hazlewood	Watson
Kazen	Word

Nays—9

Bates	Patman
Cole	Richter
Harrington	Schwartz
Herring	Spears
Kennard	

Senator Harrington offered the following amendment to the bill:

Amend Senate Bill No. 132 in the following respects:

(1) By striking out Line 6 through Line 22 on Page 4 of the printed bill and by inserting in lieu thereof the following:

"Each registration certificate and its duplicate shall show the following information with respect to the person for whom it is issued: his name, date of birth, sex, race, occupation, post office address (or if living in an incorporated city or town, his street address), the voting precinct in which he resides, whether he is a native-born or a naturalized citizen, the state or country of his birth, the date on which he became a resident of the state, the date on which he became a resident of the county, and if residing in an incorporated city or town, the date on which he became a resident of such city or town, all of which dates shall be the date of commencement of the period of residence immediately preceding the application for registration. If the applicant is over twenty-one years of age, a statement of the year of birth shall be sufficient; if he is under twenty-one years of age, the certificate shall show the date of birth by month, day, and year. If the applicant has resided in the state for more than one year, or in the county or city for more than six months, a statement of the year in which such residence began shall be sufficient; if he has resided less than one year in the state or less than six months in the county or city, the certificate shall show by month, day, and year the date on which the residence began.

"Each applicant for registration shall furnish the foregoing information to the registrar. If the applicant is not twenty-one years of age, or has not completed the residence requirements of a qualified elector, the registrar shall place on the certificate and on the list of registered voters the notation required by Section 42a of this code, filling in the date on which such person will become twenty-one years old, or the date on which

he will have resided in the state one year and in the county six months, as the case may be."

(2) By striking out the word "age" in Line 8 on Page 6 of the printed bill and by inserting in lieu thereof the words "year of birth."

The amendment was read and was adopted.

Senator Harrington offered the following amendment to the bill:

Amend Senate Bill No. 132 in the following respects:

(1) By striking out Line 45 through Line 57 on Page 2 of the printed bill and by substituting therefor the following:

"43a. Period for registration period for which registration is effective for voting

"Registration shall be for voting periods of two years beginning on the first day of March of odd-numbered years. The first period for registration under this law shall begin in each county immediately upon the effective date of this law or as soon thereafter as the registrar has obtained the necessary registration certificate forms, and shall end on the thirty-first day of January following. Registration during this period shall entitle the registrant, if otherwise qualified, to vote at elections held during the voting period of two years beginning on the first day of March following the date of registration.

"Thereafter, in each even-numbered year there shall be a period for registration beginning on the first day of April and ending on the thirty-first day of December; and registration during this period shall entitle the registrant, if otherwise qualified, to vote at elections held during the period of two years beginning on the first day of March following the date of registration. There shall also be a period for registration beginning on the first day of October of each odd-numbered year and ending on the thirty-first day of January following; and registration during this period shall entitle the registrant, if otherwise qualified, to vote at elections held during the period of one year beginning on the first day of March following the date of registration."

(2) By striking out Line 58 on Page 2 through Line 7 on Page 3 of the printed bill and by substituting therefor the following:

"44a. Registration of former aliens

"Notwithstanding the provisions of Section 43a of this Code prescribing the periods for registration, a former alien upon becoming a naturalized citizen may register at any time thereafter for the voting period in which he became a naturalized citizen, and if naturalized during the month of January or February of an odd-numbered year, for the ensuing voting period beginning on the first day of March thereafter, if at the time of applying for registration he is a qualified elector or will become a qualified elector within one year from the first day of March following the date of his application for registration; provided, however, that he must have registered at least four days before the date of any election at which he offers to vote. Before registering a voter under the provisions of this section, the registrar shall require the applicant for registration to present satisfactory evidence of his naturalization and of the date on which he was naturalized."

(3) By striking out Line 44 on Page 3 through Line 4 on Page 4 of the printed bill and by substituting therefor the following:

"46a. Registration certificate books; form of certificate

"Before the beginning of the period for registration in each even-numbered year, the registrar shall procure a sufficient number of blank registration certificate books for the county for registration of voters for the two-year voting period beginning on the first day of March following. Each original certificate form shall be bound over a duplicate copy which, when filled out, shall correspond with the original. The certificate forms shall be numbered consecutively in each county, beginning with No. 1. Each form shall be headed 'Voter Registration Certificate for the Years and and shall contain appropriate blanks for filling in the information required by Section 47a of this Code. It shall also contain a blank space for political party affiliation of the voter, to be completed as provided in Section 179a of this Code. Each certificate issued shall show the date of issuance (the date on which the completed application for registration was received by the registrar if different from the date of actual issuance), and shall be signed and certified by the registrar and shall

bear the seal of his office. The original certificate shall be detached and delivered to the registrant to identify him in voting, and the duplicate shall be retained by the registrar. The registrar shall keep securely in a safe place the duplicates from which the original certificates have been detached, and they must remain there except when taken out for examination, which must always be done in his presence. At the expiration of one year from the end of the voting period for which the certificates were issued, the duplicate certificates shall be burned by the registrar under the direction of the county judge."

The amendment was read.

Senator Creighton moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The amendment was tabled by the following vote:

Yeas—17

Aikin	Moffett
Blanchard	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Rogers
Hardeman	Word
Hazlewood	

Nays—14

Bates	Krueger
Cole	Patman
Dies	Richter
Harrington	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Watson

On motion of Senator Creighton and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Schwartz, Spears, Harrington, Bates, Kennard and Kazen asked to be recorded as voting "Nay" on the passage of S. B. No. 132 to engrossment.

Motion to Place Senate Bill 132 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 132 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present).

Yeas—24

Aikin	Kazen
Blanchard	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Strong
Hazlewood	Watson
Herring	Word

Nays—7

Bates	Rogers
Harrington	Schwartz
Kennard	Spears
Patman	

Senate Bill 243 on Third Reading

Senator Krueger asked unanimous consent to suspend the regular order of business and take up S. B. No. 243 for consideration at this time.

There was objection.

(President in the Chair.)

Senator Krueger then moved to suspend the regular order of business and take up S. B. No. 243 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Moffett
Colson	Moore
Creighton	Owen
Dies	Patman
Hall	Reagan
Harrington	Richter
Herring	Schwartz
Kazen	Spears
Kennard	Strong
Krueger	Watson

Nays—10

Bates	Blanchard
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Calhoun
Crump
Hardeman
Hazlewood

Parkhouse
Ratliff
Rogers
Word

Absent

Cole

The President laid before the Senate on its third reading and final passage the following bill:

S. B. No. 243, A bill to be entitled "An Act amending Chapter 148, Acts of the 42nd Legislature, 1931, as amended (compiled as Article 6081e of Vernon's Texas Civil Statutes), so as to allow cities and counties to acquire historical museums, buildings, sites and landmarks, and sites of archaeological or paleontological interest; and declaring an emergency."

The bill was read third time.

Question—Shall S. B. No. 243 be finally passed.

Motion to Adjourn

Senator Crump moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question on the motion to adjourn. Yeas and Nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—10

Blanchard	Owen
Calhoun	Parkhouse
Creighton	Ratliff
Crump	Rogers
Hardeman	Spears

Nays—20

Aikin	Kennard
Bates	Krueger
Cole	Moffett
Colson	Patman
Dies	Reagan
Hall	Richter
Harrington	Schwartz
Hazlewood	Strong
Herring	Watson
Kazen	Word

Absent

Moore

Senate Bill 243 on Third Reading

The Senate resumed the considera-

tion of the pending business, same being S. B. No. 243 on its third reading.

Question—Shall S. B. No. 243 be finally passed?

Motion to Adjourn

Pending further discussion by Senator Calhoun of S. B. No. 243, Senator Owen moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question on the motion to adjourn. Yeas and Nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—8

Blanchard	Hardeman
Calhoun	Owen
Creighton	Parkhouse
Crump	Rogers

Nays—19

Aikin	Moffett
Cole	Patman
Colson	Reagan
Dies	Richter
Hall	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Krueger	

Absent

Bates	Moore
Kennard	Ratliff

Senate Bill 243 on Third Reading

(Pending further discussion of S. B. No. 243, Senator Aikin occupied the Chair.)

Question—Shall S. B. No. 243 be finally passed?

Welcome Resolutions

S. R. No. 338—By Senator Spears: Extending welcome to students and teachers of Incarnate Word High School of San Antonio.

S. R. No. 339—By Senator Crump: Extending welcome to students and teachers of Star High School.

S. R. No. 340—By Senator Hall: Extending welcome to students and teachers of Wylie High School.

Memorial Resolution

S. R. No. 336—By Senator Richter: Memorial resolution for Bannie Britt Hindman.

Recess

Senator Krueger moved that the Senate stand recessed until 10:00 o'clock a.m. tomorrow.

Senator Hardeman moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question first on the motion to adjourn until 10:00 o'clock a.m. tomorrow, the motion was lost.

Question next on the motion to stand recessed until 10:00 o'clock a.m. tomorrow, the motion prevailed.

Accordingly the Senate at 5:01 o'clock p.m. took recess until 10:00 o'clock a.m. tomorrow.

FORTY-SEVENTH DAY
(Continued)

(Tuesday, April 2, 1963)

After Recess

The Senate met at 10:00 o'clock a.m., and was called to order by the President.

Senate Bill 243 on Third Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 243 on its final passage.

Question—Shall S. B. No. 243 be finally passed?

Senator Hardeman offered the following amendment to the bill:

Amend S. B. 243, Section 1, by striking out all the language beginning with the word "or" in line 32 and ending with the word "features" in line 39.

The amendment was read and failed of adoption by the following vote:

Yeas—12

Aikin	Hardeman
Bates	Hazlewood
Blanchard	Parkhouse
Calhoun	Ratliff
Colson	Strong
Hall	Word

Nays—14

Cole	Krueger
Creighton	Patman
Dies	Reagan
Harrington	Richter
Herring	Schwartz
Kazen	Spears
Kennard	Watson

Absent

Crump	Owen
Moffett	Rogers
Moore	

Senator Calhoun offered the following amendment to the bill:

Amend S. B. 243 by adding a new Section 1A to read as follows:

1a. The right of eminent domain conferred above as relating to historical sites, buildings, and structures shall not be exercised except upon a proper showing that it is necessary to prevent destruction or deterioration of the historical site, building or structure.

The amendment was read and was adopted by the following vote:

Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word

Absent

Moffett	Rogers
Moore	

On motion of Senator Krueger and by unanimous consent the caption was amended to conform to the body of the bill as amended.

S. B. No. 243 was then finally passed.

Adjournment

On motion of Senator Creighton the Senate at 10:26 o'clock a.m. adjourned until 10:27 o'clock a.m. today.